

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

June 3, 2010
3:00 p.m. – 4:30 p.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Clerk Phil Urry
Jeremiah Matthews

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Chief Judge Joe Howard*
Clerk Jeff Handler*

AOC STAFF PRESENT

Stewart Bruner, *ITD*
Karl Heckart, *ITD*

* indicates appeared via telephone

DIRECT FILING OF PETITIONS FOR REVIEW

Members discussed in depth Ellen Crowley's proposed rule changes necessary to enable direct filing of petitions for review with the Supreme Court from a policy perspective. (Work continues with a goal of getting something on the August rules agenda so the rule change will be in place prior to the start of appellate e-filing.) The focus was on business process changes necessary to prevent problems among the three courts in an all-electronic environment, given that parallel proceedings and cross-issue cases will exist. After much brainstorming and talking through various possible scenarios, Justice Hurwitz reiterated that the rules petition should be designed around the ideal process and summarized the assertions members agreed to as 1) Litigants must notify the Supreme Court by separate notice when a motion for reconsideration has been filed with the Court of Appeals; 2) The Court of Appeals must notify the Supreme Court whenever a motion for reconsideration has been disposed of; 3) The rules need to be further modified to include motions for publication and depublication; and 4) In the longer term, the Appellation case management system will need to enable specific docket codes to trigger the notifications to the appropriate clerks' offices automatically.

Ellen will revise the proposed changes in accordance with the assertions and provide them to Justice Hurwitz.

**PUBLICIZING APPELLATE TURBOCOURT AT THE STATE BAR
CONVENTION**

Rachele Resnick requested more detail regarding the publicizing of appellate e-filing to Bar members. Justice Hurwitz shared the kernel of his message to attorneys at the upcoming convention. It makes the most sense to stage a communication and training

blitz in the weeks leading up to mandatory filing in Maricopa and Pima counties, rather than at the State Bar Convention next week.

The Bar remains interested in providing CLE training related to AZTurboCourt. Court Services is planning to train State Bar representatives soon. AOC is also prepared to conduct some training for large law firms.

TRANSITION FROM ACE

As a soft launch of appellate e-filing, the group felt it appropriate to transition the Attorney General's Office from ACE to AZTurboCourt, followed by the Public Defenders' Offices currently e-filing, before opening the system to private sector filers. Justice Hurwitz affirmed his willingness to phone contacts at the AG's Office to obtain their consent to transitioning from ACE to AZTurboCourt.

OTHER ISSUES

The clerks stated a requirement that AZTurboCourt not place any further burden on them than the ACE system currently does and recommended using that standard as the litmus test for whether to launch appellate e-filing or await further enhancements to the software and integration. Karl Heckart reviewed the enhancement items Intresys recently discussed with him. Sufficient resources do not exist to simultaneously address all of the items, so prioritization must necessarily take place. Improvements will be delivered over time.

Concern was also expressed that the system may work well for outside filers while creating an unmanageable workload for clerks' offices. Karl reiterated that the top priority is data integration with Appellamation to prevent time consuming re-keying of data for filings. He recommended that the group separate what is truly necessary from what would be helpful in another meeting. Another concern expressed is that the testing timeline is too short. Justice Hurwitz agreed that additional time may be required to address major issues exposed during testing but reminded members not to let the perfect become the enemy of the good.

A follow-up meeting will be called after July 15 to track progress of all projects mentioned.

Meeting adjourned at 4:20 p.m.